



PATENT DIVISION

Reception
DIVISION
Room 307

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Pelrine et al

Attorney Docket No.: SRI1P01A051
US-3596-3

Application No.: 10/047,485

Examiner: Le, Huyen D.

Filed: October 26, 2001

Group: 2643

Title: ELASTOMERIC DIELECTRIC POLYMER
FILM SONIC ACTUATOR

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on September 29, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: *Kristina Gomez*

Kristina Gomez

REQUEST FOR REFUND

ATTENTION: Refund Section, Accounting Division, Office of Finance
Mail Stop 17
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I. REFUND REQUEST

Applicant hereby requests a refund in the amount of \$475.00.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

The above-identified application became abandoned for failure to timely and properly reply to the Final Office Action, mailed October 20, 2004. The Office Action set a three (3) month period for reply. Since no extensions of time were obtained under 37 CFR 1.136(a), this application became abandoned on January 21, 2004. A Notice of Abandonment was mailed by the USPTO on May 18, 2004.

On June 1, 2004, Applicants submitted a Petition to Revive Unintentionally Abandoned Application and \$665 petition fee, submitted an amendment in response to the Final Office Action, and paid a three-month (3) extension of time fee in the amount of \$475.00. The extension of time fee in the amount of \$475 was not necessary. The Petition to Revive and the fee submitted therewith were sufficient.

In addition to the above fees and submissions, Applicants also submitted an RCE and the fee for the RCE submission on August 24, 2004.

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Applicants submit under 37 CFR 1.26 that they need not have paid for the three-month (3) extension of time as the Petition to Revive fee was sufficient. The fees were not needed or used for any purpose but accepted by the USPTO. Applicants, therefore, respectfully request a refund in the amount of \$475.00.

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IV. MANNER OF REFUND

Please make refund by crediting Deposit Account No. 500388.

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP

William J. Plut

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Limited Recognition under 37 C.F.R. §10.9(b)e

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